

**Notice of Allowability**

Application No.

10/517,014

Applicant(s)

BACHER ET AL.

Examiner

Art Unit

Maria Veronica D. Ewald

1722

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/25/06.
2. ☒ The allowed claim(s) is/are 1-12, 15 - 16.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Atty. George Seka on June 8, 2006.

The application has been amended as follows:

Claim 14 (canceled)

### ***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

Applicant has argued that neither the references of Bacher and Teeny show receptacles in which the tools are disposed one above other on disc-shaped tool carriers. Applicant further argued that the primary reference of Bacher only shows the tools circulating on a vertical axis, but such tools are not mounted on a platform, such that the platform is disc-shaped. In addition, Examiner originally cited the reference of Teeny as teaching temperature sensors mounted above circulating tools; however, Applicant argued that Teeny only teaches one temperature sensor, though mounted on the highest level above circulating blades, there is still only one temperature sensor. Applicant is claiming a temperature sensor mounted for *each* level. Applicant has further stated that the

Art Unit: 1722

circulating tools, mounted on disc-shaped carriers are necessary obstacles that the particulate matter must traverse in order to reach the compartment below and thus, the circulating tools allow appropriate dwell-time for the particles.

Examiner agrees and thus, concludes that prior art does not teach an apparatus for processing thermoplastic synthetic material that has to be recycled, comprising a first and a second receptacle, for the material to be processed, in which receptacles tools circulating around vertical axes are provided for mixing and heating the material, wherein at least two tools each circulate in different levels one above the other, and the material reaches the second receptacle that is connected to an evacuating means from the first receptacle through a connecting conduit, and wherein the first receptacle has an intake opening for the material to be processed, which opening is disposed at a higher level than highermost tools circulating within this receptacle, and a discharge opening of the second receptacle is disposed at least substantially at the level of lowermost tools circulating in this receptacle and the mouth of the connecting conduit in the second receptacle is disposed at a higher level than the tools circulating in this receptacle and wherein the processed material is carried off the second receptacle through the discharge opening by means of at least one screw whereby this receptacle is vacuum-tightly closed, and the first receptacle is also connected to an evacuating means wherein to the intake opening of the first receptacle a sluice is connected and that wherein in both receptacles, the tools are mounted on disc-shaped tool carriers disposed one above the other, and wherein in each one of the two receptacles, at least one temperature sensor is

Art Unit: 1722

provided for each level of the circulating tools, which sensor is disposed higher than the level associated to it.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maria Veronica D. Ewald whose telephone number is 571-272-8519. The examiner can normally be reached on M-F, 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Yogendra Gupta can be reached on 571-272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1722

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MVE

  
JOSEPH S. DEL SOLE  
PRIMARY EXAMINER  
6/19/06